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**FAX TRANSMISSION COVER SHEET**

**Date:** July 28, 2005

**To:** Amendment/Response  
US Patent and Trademark Office

**Phone:**  
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**From:** Mark N. Fitzgerald  
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**Phone:** (505) 665-5187  
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**Re:** 10/723,073  
S-100,587  
Don M. Coates

**Sender:** Karen Y. Mikus

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**Comments:**

**Included in this facsimile transmittal are the following documents for filing in the above-identified patent application:**

**Request For Continued Examination Transmittal  
Amendment/Response to Final Office Action dated June 30, 2005.**

**Fee Payments Authorized: \$ 395.00**

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Rev. 12/09/04

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| <b>Request<br/>For<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Address to:<br>Mail Stop RCE<br>Commissioner for Patents<br>PO Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | 10/723,073    |
|  | Filing Date            | 11/25/2003    |
|  | First Named Inventor   | Don M. Coates |
|  | Group Art Unit         | 2635          |
|  | Examiner Name          | Au, Scott D.  |
|  | Attorney Docket Number | S-100,587     |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- iii. \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ Applicant is entitled to small entity status
- b. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-2150
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$ \$395.00 [\$790.00 large entity/\$395.00 small]
- ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17) \$ \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                    |                                   |               |
|-------------------|--------------------|-----------------------------------|---------------|
| Name (Print/Type) | Mark N. Fitzgerald | Registration No. (Attorney/Agent) | 48,300        |
| Signature         | Date               |                                   | July 28, 2005 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the US Patent and Trademark Office on the date shown below.

|                    |                     |
|--------------------|---------------------|
| Name (Print/Type): | Mark N. Fitzgerald  |
| Signature:         | Date: July 28, 2005 |

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